

by Darjeeling Gorkha Hill Council.

(II) Comprehensive Health and Beneficiary Needs assessment survey in Hill areas under Darjeeling Gorkha Hill Council.

#### Closure of Small Scale Industrial Units

597. KUMARI SUSHILA TIRYIA: Will the Minister of INDUSTRY be pleased to state:

- (a) whether about two lakh small scale industrial units have threatened to close their establishments indefinitely;
- (b) if so, the reasons therefor; and
- (c) the steps being taken by the Government in this regard?

THE MINISTER OF INDUSTRY (SHRI MURASOLI MARAN): (a) to (c) The information is being collected and will be laid on the Table of the House.

#### Appointment/Transfer of Judges

598. SHRIMATI LAKSHMI PANABAKA:

SHRI SATYA DEO SINGH:

SHRI MUNNI LAL:

SHRI PRITHVIRAJ D. CHAVAN:

SHRI G.A. CHARAN REDDY:

Will the Minister of LAW and JUSTICE be pleased to state:

- (a) the existing procedure for the appointment/transfer of Judges of the Supreme Court and High Courts;
- (b) whether the Government have taken any decision to introduce an amendment Bill to give the executive final say in the appointment and transfer of Judges of the Supreme Court and the High Courts;
- (c) if so, the time by which the legislation in this regard is likely to be introduced;
- (d) whether the Government have decided that till legislation is introduced, the present rule will prevail;
- (e) whether the Government have received any representation against it; and
- (f) if so, the details thereof?

THE MINISTER OF STATE OF THE MINISTRY OF LAW AND JUSTICE (SHRI RAMAKANT D. KHALAP): (a) The appointments of Judges of the Supreme Court and the High Courts are made in accordance with Article 124 and 217 of the Constitution of India respectively. Following the majority judgement of a 9 member bench of the Supreme Court on 6.10.1993, the Memorandum of Procedure for appointment of Judges was revised. According

to the revised procedure, the proposal for appointment of a Judge in the High Court should be initiated by the Chief Justice of the concerned High Court. In respect of appointment of Judges in Supreme Court and Chief Justices of High Courts and transfer of Chief Justices and Judges of High Court, the proposals are to be initiated by Chief Justice of India. Prior to 1993 judgement, proposals could be initiated by Government also.

(b) The Government decided to introduce a Constitution Amendment Bill in Parliament to make changes in the existing system of appointment of Judges of the Supreme Court, Chief Justices of the High Courts, Judges of the High Courts and transfer of Judges of the High Courts. The Government felt it necessary to amend the Constitution to reiterate and spell out the intent of the framers of the Constitution clearly and unambiguously with a view to keep it beyond the pale of any controversy. Accordingly, the Constitution (Eighty-Second Amendment) Bill, 1997 was circulated to members of the Lok Sabha in March, 1997.

- (c) No time frame can be stipulated at this stage.
- (d) Yes, Sir.
- (e) and (f) The proposed Amendment Bill has elicited mixed response from members of Parliament, legal and Constitutional experts and media.

[Translation]

#### Financial Assistance to India Trade Organisation

599. SHRIMATI PURNIMA VARMA:

SHRI RAMESHWAR PATIDAR:

Will the Minister of COMMERCE be pleased to state:

- (a) the financial assistance provided by the Union Government to India Trade Organisation during 1996-97;
- (b) the total financial assistance provided/likely to be provided to India Trade Promotion Organisation during 1997-98;
- (c) whether the Union Government propose to reduce this assistance;
- (d) if so, the reasons therefor;
- (e) whether the India Trade Promotion Organisation has increased the rate of its service charges; and
- (f) if so, the details thereof and the reasons therefor?

THE MINISTER OF STATE OF THE MINISTRY OF COMMERCE (DR. BOLLA BULLI RAMAIAH): (a) The Government has provided a grant of Rs. 416.38 lakhs to ITPO from MDA funds during 1996-97 towards reimbursement of deficits incurred by them on organisation of fairs and exhibitions at the specific behest of the Govt. during

the years 1995-96 and 1996-97. Out of the total grant of Rs. 416.38 lakhs, the amount of Rs. 295.00 lakhs provisionally released for the year 1996-97 is subject to necessary adjustment during the year 1997-98 as per actual requirements.

(b) to (d) ITPO's requirement for funds has been assessed at Rs. 260.82 lakhs (approx.) during the year 1997-98, which is again subject to adjustment from the funds released last year.

(e) and (f) ITPO levy service charges on sale and disposal of exhibits abroad, as per rates given below:-

Fob Value of Goods	Service Charges Range
1. Upto Rs. 2 lakh	10%
2. Above Rs. 2 lakh but below Rs. 10 lakh	10% upto Rs. 2 lakh, 5% above Rs. 2 lakh, and below Rs. 10 lakh.
3. Above Rs. 10 lakh.	10% upto Rs. 2 lakh, 5% above Rs. 2 lakh ad upto Rs. 10 lakh, 2.5% above Rs. 10 lakh.

No service charges are levied on SSI units. There has not been any increase in the rates of service charges, given above.

#### Powerlooms

600. SHRI JAGDAMBI PRASAD YADAV: Will the Minister of TEXTILES be pleased to state:

- (a) the number of powerlooms running in the country as on date and the number of more powerlooms required;
- (b) the scheme of the Government to encourage them; and
- (c) the position of powerlooms in Bihar and the measures being taken for their development?

THE MINISTER OF TEXTILES (SHRI R.L. JALAPPA):

(a) The number of Powerlooms installed as on 30.9.1996 in the decentralised powerloom sector was 14,01,978.

No specific study of the number of powerlooms required has been conducted. However, looking to the quantum of cloth produced by the Powerloom sector, there does not seem to be any need for more powerlooms. The capacity utilisation as of now, is barely 50-55%.

(b) The Government has introduced various schemes to improve the working of powerlooms sector, such as setting up of Powerloom Service Centres, Computer Aided Design Centres, Insurance Scheme for Powerloom workers. Besides, the Government also propose to introduce Workshed-cum-Housing Scheme for Powerloom Weavers. The Powerloom Development & Export Promotion Council

has been set up to promote modernisation of and export by powerloom units. Under the re-financing Scheme of NABARD & SIDBI powerloom units were provided financial assistance for modernisation through Commercial Banks and Financial Institutions.

(c) The number of powerlooms registered in the State of Bihar as on 30.9.96 was 2870. All the facilities provided to the powerloom sector by the Government are available in the State of Bihar. One Powerloom Service Centre is already functioning at Gaya under the Office of Textile Commissioner and one more Centre has been sanctioned at Bhagalpur. The Government of Bihar has also implemented the Insurance Scheme for Powerloom Weavers.

[English]

#### Diversion of Spoilt Sugar From Sri Lanka to India

601. SHRI SARADA TADIPARTHI:

SHRI AJMEERA CHANDULAL:

Will the Minister of FINANCE be pleased to state:

(a) whether the attention of the Government has been drawn to the news-item captioned "Customs men will ensure bad sugar is dumped in sea" appearing in the 'Indian Express' dated June 3, 1997;

(b) if so, whether a consignment of 1000 tonnes of sugar shipped for Sri Lanka from Colombia was rejected by Sri Lanka authorities at Colombo in April this year as unfit for human consumption but the ship carrying it was diverted to Mumbai port for being sold in India; and

(c) if so, the action taken by the Government to ensure that spoilt sugar is not sent to the Indian Market?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATPAL MAHARAJ): (a) to (c) Vessel M.V. Natalia containing 27000 bags of sugar on board entered into territorial water of India on 19-4-1997. Since sugar was suspected to be damaged, Mumbai Port Trust did not allow permission to berth the vessel in Docks. A part of cargo was unloaded on barges in mid stream. The sugar was examined in presence of officers of Food & Drug Administration, Maharashtra, who determined that the sugar was unfit for human consumption. Clearance can be given only after Port Health Officer/Food and Drug Administration certifies that the sugar is fit for human consumption or for industrial use. Meanwhile, M/s. Noha Marine Services, Mumbai, their agents has submitted a proposal to Food and Drug Administration (FDA) Mumbai for permission to allow clearance to any one of the following parties:

1. M/s. Gujarat Sugar Candy Works, Ahmedabad for refining and reprocessing sugar before marketing.
2. M/s. Nirzar Rasayan Pvt. Ltd. Vadodara for Industrial use in the manufacture of Oxalic Acid.